

Prob 12  
(Rev. 3/88)

**FILED**

**APR - 2 2008**

**UNITED STATES DISTRICT COURT**  
**For The**  
**WESTERN DISTRICT OF PENNSYLVANIA**

CLERK U.S. DISTRICT COURT  
WEST. DIST. OF PENNSYLVANIA

**U.S.A. vs. Donna Gagich**

**Docket No. 04-00041-002 Erie**

**Petition on Probation**

COMES NOW Theodore W. Johnson, CHIEF PROBATION OFFICER OF THE COURT, presenting an official report upon the conduct and attitude of Donna Gagich, who was placed on supervision by the Honorable Maurice B. Cohill, Jr., sitting in the Court at Erie, Pennsylvania, on the 23rd day of January 2006, who fixed the period of supervision at three years and imposed the general terms and conditions theretofore adopted by the Court and also imposed special conditions and terms as follows:

- The defendant shall not commit another federal, state, or local crime.
- The defendant shall not illegally possess a controlled substance.
- The defendant shall not possess a firearm or destructive device.
- The defendant shall participate in a program of testing and, if necessary, treatment for substance abuse, as directed by the probation officer, until such time as the defendant is released from the program by the probation officer. The defendant shall submit to one drug urinalysis within 15 days after being placed on supervision and at least two periodic tests thereafter.
- The defendant shall provide the probation officer with access to any requested financial information.
- The defendant shall not incur new credit charges or open additional lines of credit without approval of the probation officer.
- The defendant shall be placed on home detention for a period of 6 months, to commence at the discretion of the Probation Office. During this time, the defendant shall remain at her place of residence except for employment and other activities approved in advance by the probation officer. At the direction of the probation officer, the defendant shall wear an electronic device and shall observe the rules specified by the Probation Office.
- The defendant is to pay the cost of the electronic monitoring portion of this sentence, not to exceed the daily contractual rate. Payment for the electronic monitoring shall be made in accordance with the probation officer's direction. Changes to the established rate can be made by the probation officer subject to supervisory approval.
- The defendant shall make restitution in the total amount of \$1,740.
- The defendant shall make restitution payments at the rate of not less than 10 percent (10%) of her monthly gross income. Any payment of restitution that is not payment in full shall be divided proportionately among the persons named.
- The defendant shall pay to the United States a special assessment of \$100.

01-23-06: Conspiracy to Commit Mail Fraud; Sentenced to 3 years' probation. Supervision begins; Currently supervised by U.S. Probation Officer Matthew L. Rea.

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**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT AND FOR  
CAUSE AS FOLLOWS:**

Your Petitioner reports that the probationer has violated the following condition:

**The defendant shall not commit another federal, state, or local crime.**

On or about November 27, 2006, the defendant was arrested by the Millcreek Police Department and charged with Retail Theft and Simple Assault. The Simple Assault charge was withdrawn, and the defendant pled guilty to the Retail Theft on October 12, 2007. On December 14, 2007, the defendant was sentenced in the Erie County Court of Common Pleas, Docket No. 530 of 2007, and received 11½ to 23 months' incarceration followed by 3 years' probation, 25 hours' community service, and a \$539 fine.

PRAYING THAT THE COURT WILL ORDER that the probationer appear in Federal Court, Courtroom C, 2nd Floor, U.S. Courthouse, Erie, Pennsylvania, with legal counsel on \_\_\_\_\_ at \_\_\_\_\_, to show cause why supervision should not be revoked.

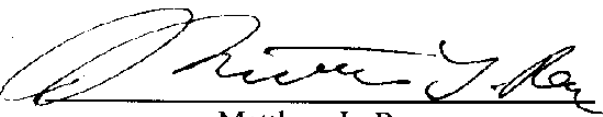
I declare under penalty of perjury that  
the foregoing is true and correct.

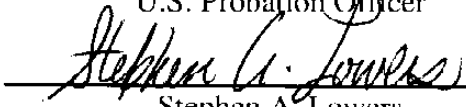
Executed  
on April 1, 2008

**ORDER OF COURT**

Considered and ordered \_\_\_\_\_ day of  
\_\_\_\_\_, \_\_\_\_\_ and ordered filed and  
a part of the records in the above case.

\_\_\_\_\_  
Senior U.S. District Judge

  
Matthew L. Rca  
U.S. Probation Officer

  
Stephen A. Lowers  
Supervising U.S. Probation Officer

Place: Erie, PA